THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.984 of 2007

Dated: 27-11-2007

Between:

Hussain Bin Nasar.

.... Appellants

AND

1.The Government of A.P., rep. by its Secretary, Revenue (Asg.II) Department, Secretariat, Hyderabad, and 2 others.

.....Respondents

THE HON'BLE SRI BILAL NAZKI,
THE ACTING CHIEF JUSTICE
AND
THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT APPEAL No.984 of 2007

Dated: 27-11-2007

Judgment: **(Per Hon'ble Sri Bilal Nazki, The Acting Chief Justice)**

This Writ Appeal has been filed by the appellants-petitioners aggrieved by an order dated 08-10-2007 passed by a learned single Judge of this Court in W.P.No.21509 of 2007.

Heard the learned Counsel for the parties.

The Writ Petition being W.P.No.1981 of 1995 was filed seeking a Writ of Mandamus declaring the proceedings in

G.O.Ms.No.1240, Revenue (ASN-II) Department, dated 28-08-2006 as illegal and arbitrary. The petitioner-appellant claims that he had been in continuous possession of the agricultural land admeasuring two acres in Survey No.446 situated at Perkit Village, Armoor Mandal, Nizamabad District and had developed the said land by investing amounts. The grievance of the petitioner is that the third respondent in the Writ Petition passed an order under Section 6 of the A.P.Land Encroachment Act, 1905 (for short 'the Act'), on 09-04-1990, after issuing notice under Section 7 of the Act resuming the land on the ground that the petitioner had illegally occupied another extent of land admeasuring two acres. Aggrieved by the same, the writ petitioner filed an appeal before the second respondent, who dismissed the same on 02-12-1992. Thereafter, he filed a revision before the first respondent, but it was also dismissed. Feeling aggrieved of the same, the writ petitioner filed Writ Petition No.1981 of 1995, which was allowed and the matter was remanded to the first respondent for rehearing on the ground that the petitioner had not been given notice. After remand, the first respondent heard the petitioner again and dismissed the revision. Aggrieved by the same, the petitioner filed W.P.No.21509 of 2007, which was also dismissed. Hence, the present Appeal.

The issues raised by the petitioner have been considered by four competent authorities and all questions, which arise for consideration, relate to questions of fact. Therefore, the impugned order passed by the learned single Judge cannot be faulted and we

do not think that this Court has any reason to interfere with the same.

The Writ Appeal is, accordingly, dismissed. No costs.

(Bilal Nazki, A.C.J)

Dated 27th November, 2007

(Ramesh Ranganathan, J)

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